

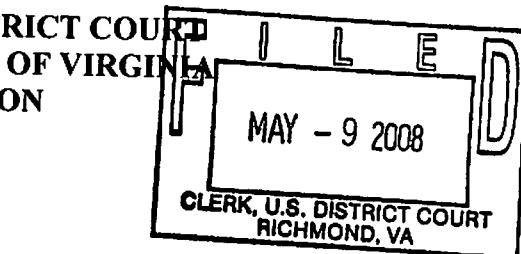
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

PAMELA G. CAPPETTA,

Plaintiff

v.

GC SERVICES LIMITED PARTNERSHIP



CIVIL ACTION NO.

3:08CV288

SERVE: CT CORPORATION SYSTEM
4701 COX ROAD, SUITE 301
GLEN ALLEN, VA 23060-6802

Defendant.

COMPLAINT

COMES NOW the Plaintiff, PAMELA G. CAPPETTA, (hereafter collectively the "Plaintiff") by counsel, and for her Complaint against the Defendant, she alleges as follows:

PRELIMINARY STATEMENT

1. This is an action for actual, statutory and punitive damages, costs and attorney's fees brought pursuant to Federal Fair Debt Collection Practices Act, ("FDCPA"), 15 U.S.C. §1692c(c) and for common law conversion.

JURISDICTION

2. The jurisdiction of this Court is conferred by 15 U.S.C. §1681(p) and 28 U.S.C. §1367. Venue is proper in this District and Division as substantial events occurred in Virginia and the Defendant's registered office and registered agent is located in Glen Allen, Virginia.

PARTIES

3. The Plaintiff is a natural person and resides in the State of Virginia. Plaintiff is a "consumer" as defined by the Fair Debt Collection Practices Act.

4. Upon information and belief, GC SERVICES LIMITED PARTNERSHIP ("GC SERVICES") is a partnership doing business in the State of Virginia through its registered offices in Glen Allen, Virginia. It is also a "debt collector" as defined and governed by the Fair Debt Collection Practices Act.

FACTS

5. Prior to May, 2007, the Defendant began the collection of a debt it alleged was owed to American Express, a consumer credit card company by Plaintiff's former husband, Robert Cappetta. (The "Debt").

6. The Defendant has acknowledged that it was acting as a debt collector in its contacts with the Plaintiff.

7. On May 21, 2007, a representative of the Defendant called the Plaintiff's place of business, regarding a debt owed by the Plaintiff's husband. Plaintiff was informed that she was responsible for the debt since her social security number was on the account. Plaintiff was further informed the debt needed to be paid within seven (7) days in the amount of \$10,444.59.

8. Defendant's representations were false. The Plaintiff never owed such a debt.

9. The Defendant demanded and extorted \$10,519.59 for this fictional debt from the Plaintiff.

10. On or about August 8, 2007 Plaintiff wrote to GC Services and demanded a refund of the monies paid based on the fact that this was not her account. GC Services rendered no response to

Plaintiff's letter.

**COUNT ONE: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT
§15 U.S.C. 1692, et seq.**

11. The Plaintiff realleges and incorporates paragraphs 1 through 10 above as if fully set forth herein.

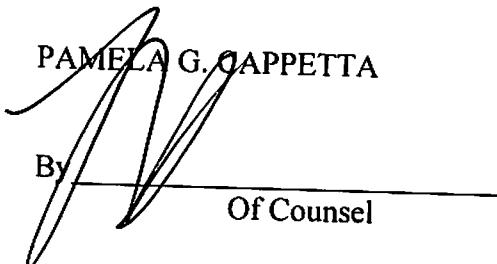
12. Defendant violated the Fair Debt Collection Practices Act in multiple ways, including by example only and without limitation, by misrepresenting that the Plaintiff was responsible for the payment of the debt and the misrepresentation that the Plaintiff's social security number was on the debt.

13. As a result of the Defendant's FDCPA violation, the Defendant is liable to the Plaintiffs for actual and statutory damages, attorney fees and costs pursuant to 15 U.S.C. §1692k.

14. As a result of the Defendant's violation of the FDCPA, the Plaintiff suffered actual damages for emotional and mental anguish, fear, frustration, anger and loss of her federally protected rights. Such damages are recoverable pursuant to 15 U.S.C. §1692k.

WHEREFORE, Your Plaintiff demands judgment for actual and statutory damages against the Defendant; for her attorney's fees and costs; for pre-judgment and post-judgment interest at the legal rate, and such other relief the Court does deem just, equitable and proper.

TRIAL BY JURY IS DEMANDED.

PAMELA G. CAPPETTA

By _____ Of Counsel

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